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11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE DISTRICT OF NEVADA**

12 CRAIG FARAH, Personal
13 Representative of the ESTATE OF
14 NICHOLAS FARAH; LISA WALTER, as
15 Next Best Friend of E.T.; and JOLENE
16 GEARY, as Next Best Friend of E.F.,

16 Plaintiffs,

17 vs.

18 LAS VEGAS METROPOLITAN
19 POLICE DEPARTMENT; RICHARD
20 NEWMAN; SAMUEL MENDOZA;
21 AARON MOSELY; JEREMY
22 STEWART; CHRISTY SNAPP;
23 GABRIEL VILLANUEVA; KIM SOFFE;
24 and COLLIN PETRIELIUS, and
25 NAPHCARE, INC.,

26 Defendants.

No. 2:20-cv-00604-RFB-VCF

Hon. Richard F. Boulware, II, Judge

Hon. Cam Ferenbach, Mag. Judge

**STIPULATION AND PROPOSED
ORDER EXTENDING DISCOVERY
SCHEDULE**

(Third Request)

24 Plaintiffs Craig Farah, Personal Representative of the Estate of Nicholas
25 Farah, Lisa Walter, as Next Best Friend of E.T., and Jolene Geary, as Next Best
26 Friend of E.F., by and through their counsel of record, Defendants Las Vegas
27 Metropolitan Police Department, Richard Newman, Samuel Mendoza, Aaron

1 Mosely, Jeremy Stewart, Christy Snapp, Gabriel Villanueva, through their counsel
2 of record, and Kim Soffe, Colin Petrieli, and Naphcare, Inc., through their counsel
3 of record, hereby stipulate and agree that the discovery schedule as set out in the
4 March 22, 2021 Stipulation and Order Extending Discovery Schedule (ECF 45)
5 should be extended by 120 days.

6 The instant filing is the third request for an extension of the Discovery
7 Schedule. The parties filed their Discovery Plan and Scheduling Order on August 3,
8 2020. ECF 21. They filed a subsequent stipulation extending the discovery
9 deadlines on November 23, 2020 (ECF 39), which was entered by the Court (ECF
10 40), and a second stipulation extending the discovery deadlines on March 22, 2021
11 (ECF 44), which was also entered by the Court (ECF 45). The parties have moved
12 forward diligently with both written and oral discovery. The parties have served
13 multiple third-party subpoenas and exchanged substantial records and other
14 relevant materials. Plaintiffs have completed two depositions of Defendants, and
15 four more depositions are scheduled to occur next week. Plaintiff Craig Farah's
16 deposition is scheduled to occur on July 27.

17 Despite counsel's best efforts, more time is needed to complete discovery due
18 to delays caused by the COVID-19 pandemic, counsel's obligations in other matters,
19 the difficulties of locating witnesses, and the complexity of this case. Plaintiffs
20 recently filed a Second Amended Complaint (ECF 49), naming two additional
21 plaintiffs and a new claim against Defendant Naphcare, Inc. These matters will
22 require additional discovery by both sides. Depositions of the remaining parties and
23 third-party witnesses also need to be completed, and the parties anticipate
24 completing follow-up written discovery. And the parties need to complete production
25 of the ESI set forth in the ESI protocol entered by the Court on May 21, 2021 (ECF
26 48). As such, the parties ask the Court to extend discovery as follows:

- 1 a. The deadline for fact discovery will be extended from September 27, 2021 to
2 January 27, 2022.
- 3 b. The deadline to file motions to amend the pleadings or add parties will be
4 extended from June 28, 2021 to October 28, 2021.
- 5 c. The deadline for expert disclosures will be moved from July 26, 2021 to
6 November 30, 2021, and the deadline for rebuttal experts will be moved from
7 August 19, 2021 to December 20, 2021.
- 8 d. The deadline for the filing of dispositive motions will be moved from October
9 25, 2021 to February 25, 2022.
- 10 e. The deadline for filing the joint pretrial order will be moved from November
11 24, 2021 to March 24, 2022. As ordered previously, this deadline will be
12 suspended if dispositive motions are timely filed, until 30 days after the
13 decision of the dispositive motions or until further order of the Court. ECF
14 40.

15 The parties also stipulate and agree that Defendants shall have an additional
16 30 days, or until August 12, 2021, to file a responsive pleading to Plaintiffs' Second
17 Amended Complaint filed on June 28, 2021 and the parties request that the Court
18 extend that deadline as well.

19 The parties stipulate and agree to the requested extension. Accordingly,
20 Plaintiff and Defendants stipulate that the discovery schedule should be extended
21 by 120 days and the deadline to respond to Plaintiffs' Second Amended Complaint
22 be extended to August 12, 2021. This stipulation is made in good faith and not for
23 the purpose of delay. Dated this 1st day of July, 2021.

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1 **ORDER**

2 IT IS SO ORDERED that the above Stipulation is hereby GRANTED. The
3 discovery schedule shall be extended by 120 days and the deadline to respond to
4 Plaintiffs' Second Amended Complaint shall be extended to August 12, 2021.

5 DATED this 6th day of July, 2021.

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8 UNITED STATES MAGISTRATE JUDGE

9 IT IS HEREBY ORDERED that the following discovery dates apply:

10
11 Discovery cut-off: January 27, 2022
12 Amend the pleadings or add parties: October 28, 2021
13 Expert Disclosures: November 30, 2021
14 Rebuttal experts: December 20, 2021
15 Dispositive motions: February 25, 2022
16 Joint Pretrial Order: March 24, 2022
17 If dispositive motions are filed, the deadline
18 for filing the joint pretrial order will be suspended until 30 days
19 after decision on the dispositive motions or further court order.
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CERTIFICATE OF SERVICE

I, David B. Owens, an attorney, hereby certify that on July 2, 2021, I filed the foregoing Stipulation and Proposed Order via CM/ECF, which was electronically delivered to all counsel of record.

/s/ David B. Owens
One of Plaintiff's Attorneys